

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

ARTURO ANAYA,

Petitioner,

v.

Civ No. 20-328 WJ/GJF

FNU LNU, and ATTORNEY GENERAL
FOR THE STATE OF NEW MEXICO,

Respondents.

ORDER REGARDING RECHARACTERIZATION OF LETTER

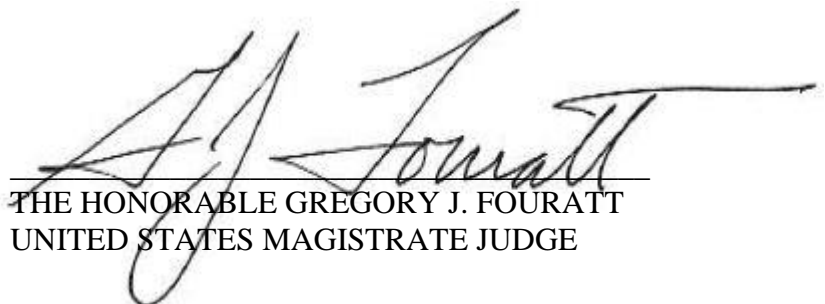
THIS MATTER is before the Court on Petitioner's handwritten letter challenging unspecified state convictions. ECF 1. Such a challenge, however, must be raised in a 28 U.S.C. § 2254 habeas petition. *See Montez v. McKinna*, 208 F.3d 862, 865 (10th Cir. 2000). Furthermore, Petitioner is warned that if he pursues relief now, "any subsequent [§ 2254 petitions] will be subject to the restrictions on 'second or successive'" habeas claims. *Castro v. United States*, 540 U.S. 375, 376 (2003).

IT IS THEREFORE ORDERED that, if Petitioner wishes to seek relief from his state convictions, he must (1) file an amended § 2254 petition on the proper form and (2) either prepay the \$5.00 filing fee or file a motion to proceed *in forma pauperis* **no later than May 15, 2020**.

The failure to timely comply with both directives will result in dismissal of this case.

IT IS FURTHER ORDERED that the Clerk's Office shall **MAIL** Petitioner a form § 2254 petition and an *in forma pauperis* motion.

SO ORDERED.



THE HONORABLE GREGORY J. FOURATT
UNITED STATES MAGISTRATE JUDGE